IN THE HIGH COURT OF JUDICATURE AT BOMBY
CIVIL APPELLATE JURISDICTION

P.I.L. NO. 78 OF 2006

Mr. Mukesh Shantilal Mehta .....Petitioner.

V/s

State of Maharashtra & Others ..... Respondents.

Mr. P.M. Patil, Assistant Government Pleader for Respondent No.1.

Mr. S.M. Oak for Respondent No.2

CORAM: **H.S. BEDI, C.J.,** & **V.M.KANADE, J.**

DATE : **NOVEMBER 16, 2006**

P.C.

1. The Petitioner has raised a matter of serious concern with regard to the unauthorized constructions at Mira-Bhayandar, District Thane which is on the outskirts of Mumbai. It has been pointed by the learned Counsel appearing on behalf of the Petitioner that despite the fact that status quo orders had been passed by the Civil Courts in suits filed by the builders, further construction had continued unabted. The learned Counsel appearing on behalf of the Corporation submits that in this situation it would be appropriate that the Civil Courts which are seized of the suits, should be directed to dispose of the interim applications as well as the miscellaneous applications arising

therefrom within a reasonable time so that in case they are dismissed, the Corporation will be in a position to proceed against the Builders in accordance with law. We find that there can be no objection if such an order is made.

2. We accordingly issue a direction that the concerned Civil Courts which are presently hearing the civil suits should take a decision on the interim applications as well as on miscellaneous applications arising therefrom within a period of two months from the date of receipt of a certified copy of this order. The list of the suits which are pending and the particulars thereof as supplied by Mr. S.M. Oak, the learned Counsel for respondent no.2 are as under:-

Sr.No.	Survey No.	Particulars of case pending
1.	728, Shital Nagar, Mira Road.	M.C.A. No.26 of 2006
2.	520 & Plot Nos. 12, 13, 14, Mira Road	R.C.S. No.674 of 2004
3.	Old S. No.125 & New S. No.120, Hissa No.1 at Bhayander	R.C.S. No. 443 of 2004
4.	488	R.C.S. No. 518 of 2004

The aforesaid directions shall apply to all these matters. We accordingly dispose of this Petition as infructuous.

CHIEF JUSTICE

V.M. KANADE, J.